REMARKS

Claims 1-12 were originally presented for examination. Of those claims, claim 1 was the sole independent claim.

In the first Office Action the following objection and rejection were stated:

1. Claim 1 was objected to because the measurement unit of particle size for particle size distribution (B) is missing; and

2. Claims 1-9 and 12 were rejected as lacking novelty under 35 U.S.C. § 102 over OTOUMA et al. (4,780,356).

We are pleased to note that claims 10 and 11 were indicated to be allowable over the prior art and were simply objected to as being dependent upon a rejected parent claim.

Claim 1 has been amended to include the size unit "nm" after "3000" for the particle size distribution (B). This unit clearly finds basis in the original application, for example, at page 3, line 19 and the Abstract of Disclosure. Accordingly, the objection to claim 1 should be obviated.

The present invention is directed to an ink-jet recording material having at least a support, a pigment containing lower layer on the support, and a pigment containing upper layer above the lower layer. The pigment (A,B) of the upper layer has two particle size distributions. This pigment (A,B) is different from

the pigment of the lower layer. Moreover, the average particle size of the pigment of the upper layer is different from the average particle size of the pigment of the lower layer. The two particle size distributions of the invention are set forth as: (A) 10 to 100 nm and (B) 1000 to 3000 nm.

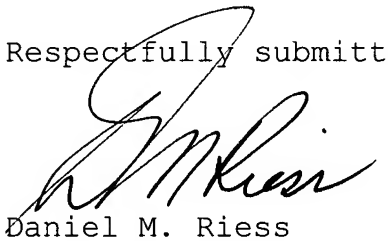
OTOUMA et al. discloses a sheet for ink-jet recording having a paper as a support and two porous particle containing layers provided on the paper. The particles of both layers are different from each other as far as the particle sizes are concerned.

Contrary to the statement made in the last Office Action, OTOUMA et al. does not include two particle size distributions either as set forth in the claims or otherwise. OTOUMA et al. sets forth only one particle size distribution, i.e. 0.1-50 μm (100-50,000 nm). Within that range, OTOUMA et al. discloses certain percentages in certain portions of that single size distribution range, for example less than 70% having an average particle size from 0.1-20 μm (100-20,000 nm) as set forth in claim 8. However the remaining percentage of particle is also within the 0.1-50 μm size range. This is clearly contrary to the two entirely distinct particle size distributions set forth in claim 1, i.e. (A) 10 -100 nm (B) 1000-3000 nm. Moreover, OTOUMA et al. fails to disclose the size distribution (A) of very small particles of 10-100 nm. The OTOUMA et al. size range only starts at 0.1 μm (100 nm).

Accordingly, the present claimed invention clearly defines over OTOUMA et al. because the later only provides one particle size distribution in each layer, rather than two distinct size distributions as in the claimed invention. And, OTOUMA et al. fails to disclose or suggest the very small particle size in (A). Moreover, there is nothing in the disclosure of OTOUMA et al. that would render the two distinct particle size distributions and the very small particle sizes as claimed in the upper layer of the present invention obvious.

For the above reasons, it is respectfully submitted that all of the claims presently in the application, claims 1-12, are in condition for allowance. Accordingly, favorable reconsideration and allowance are requested.

Respectfully submitted,



Daniel M. Riess
Registration No. 24,735

COOK, ALEX, McFARRON, MANZO
CUMMINGS & MEHLER, LTD.
200 West Adams Street, Suite 2850
Chicago, Illinois 60606
(312) 236-8500